

IRISH LAND COMMISSION COURT (M'CORD v. WALLACE).

RETURN to an Order of the Honourable The House of Commons,
dated 28 April 1884;—for,

COPY "of the Official Records of the EVIDENCE and JUDGMENT in the case
of *George M'Cord*, Tenant, *Sir Richard Wallace*, Landlord, in the Court of
the IRISH LAND COMMISSION."

24, Upper Merrion-street, Dublin, }
7 May 1884. }

DENIS GODLEY.

(Rent fixed after hearing, Recorded.)

LAND LAW (IRELAND) ACT, 1881.

COURT OF THE IRISH LAND COMMISSION.

ORDER Fixing Fair Rent.

Landlord, *Sir Richard Wallace*. Tenant, *George M'Cord*.

County of Antrim. Record No. 510.

THE tenant having duly served an Originating Notice of an application to the Land Commission, for an Order fixing the fair rent to be paid for the holding therein mentioned, the description of which holding, as stated in such Notice, is contained in the schedule endorsed hereon:

We, the undersigned, forming a Sub-Commission, after hearing the parties, and having regard to the interest of the landlord and tenant, respectively, and considering all the circumstances of the case, holding, and district, do hereby fix and determine that the fair rent of the said holding is the annual sum of £3 l. 14 s.

And having regard to the fact that the application was made on the first occasion on which the Court sat after the passing of the Act, and was adjourned until the hearing before us, WE, having considered the matter, and deeming it just so to do, farther declare that this Order shall be of the same effect as if it had been made on the first day on which the said Act came into force, and that the tenant shall be in the same position, and have the same rights in respect of his tenancy, as he would have been in, and would have had, if the application had been made on the day on which the said Act came into force.

£. 23 14 -

And we do hereby further order that

And we do certify that the landlord at the hearing required that the right of sporting, as mentioned in the 5th section of the Act, should belong exclusively to him.

Dated this 25th day of September 1882.

(signed) *Edward Greer*,
Thomas Smith.

SCHEDULE Endorsed on preceding Order.

Holding,—

County.	Poor Law Union.	Electoral Division.
Antrim - - - -	Lisburn - - -	Ballyscully.
Name by which Lands are known on Ordnance Survey Map.		Ballinacorney.
Area in Statute Measure.	Rent of Holding.	Gross Poor Law Valuation.
A. R. P.	£. s. d.	£. s. d.
13 0 35	23 4 0	
Attended - 13 1 0	23 14 -	23 15 -

COUNT VALUER'S REPORT ON HOLDING.

County, Antrim.						Appeal No. 213.		
Landlord	-	-	-	-	-	Sir Richard Wallace.		
Tenant	-	-	-	-	-	George McCord.		
Townland	-	-	-	-	-	Loughrellak.		
Agreed area of Holding						A.	R.	P.
						18	1	0
Rateable Value:						£.	s.	d.
Land	-	-	-	-	-	:	:	:
Buildings	-	-	-	-	-	:	:	:
TOTAL						:	:	:
Rent						:	:	:
Judicial Rent						:	:	:
						£.	s.	d.
Taxes:—Poor Rate (yearly)						-	-	10
County Cess (yearly)						-	-	1 8

Situation.—6 miles from Lisburn and $\frac{1}{2}$ mile from Ballinderry Railway Station.

Elevation.—About 210 feet.

Aspect.—Part lies flat and part north.

Roads.—Public roads.

Fences.—Earth banks with thorns.

Waste.—

Soil.—Friable and strong clays.

Buildings.—None.

There are covered drains made, tenant stated, about 20 years; some of them are acting and some are not; those acting should have improved the land they drained 7 s. annually per 100 statute perches. Tenant stated the land was thorough drained; I cannot think so, as it was wet in many places.

The tenant does not reside on this holding; it is thrown into two well-shaped fields without waste, and fairly fenced, and consists of friable and strong clays of good quality, but in places deficient in active soil, and having in others a very retentive subsoil.

I estimate its fair annual value at 23 l.

13 February 1884.

F. W. Russell.

LAND COMMISSION COURT OF APPEAL.

Belfast, 10 March 1884.

(Before Mr. Justice O'Hagan, Mr. Commissioner Litten, Q.C., and Mr. Commissioner Vernon, D.L.)

ESTATE OF SIR RICHARD WALLACE, Landlord.

GEORGE MCCORD, Tenant.—Acreage 18 A. 0 R. 35 P., English. Poor Law valuation, 22 l. 15 s. Old rent, 23 l. 14 s. Judicial rent, 23 l. 14 s. Tenant appealed. Court valuer, 23 l. Judicial rent confirmed by Appeal Court.

J. H. GILL, Tenant.—Acreage, 11 A. 2 R. 8 P., English. Poor Law valuation, 13 l. 15 s. Old rent, 15 l. Judicial rent, 11 l. 15 s. Tenant appealed. Court valuer, 13 l. 12 s. Judicial rent confirmed by Appeal Court.

WILLIAM G. GILL, Tenant.—Acreage, 7 A. 0 R. 19 P., English. Poor Law valuation, 8 l. 10 s. Old rent, 9 l. 8 s. 6 d. Judicial rent, 7 l. Tenant appealed. Court valuer, 7 l. 2 s. Judicial rent confirmed by Appeal Court.

Mr. Hans N^o Mordie appeared for the Tenants, and Mr. Wellington Fenny appeared for the Landlord.

GEORGE MCCORD, sworn; and Examined.

1. WHEN did you become the tenant of the farm?—In 1877 I bought it.

2. Who was the previous tenant?—A man named Johnston.

3. What did you pay him for it?—I bought the whole farm at a lump sum, 1,000 l.

4. You are not in the count with regard to the other portion?—The other portion was under lease, and they are making a valuation of it before we go into court.

5. Will you tell me what improvements you made on that farm?—I have made very little improvements, but I manured and limed it.

6. Judge O'Hagan.] No reclamation and no drains?—It was all drained and reclaimed before we got it.

7. Mr. M^o Mordie.] Do you know what improvements Johnston made?—His predecessor made all the improvements, Mr. Walkington; the land was all drained.

8. As a matter of fact, has it been thorough drained?—All drained, every bit.

9. Have you measured the thorough drains?—I have, 2,550 perches.

10. As a matter of fact, those are in the land now?—As a matter of fact, they are in the land.

11. On the 18 acres?—On the 18 acres alone.

12. And the number of perches of fences?—Two hundred and fifty-three perches.

13. What would be the cost of making them?—Sixty-nine perches, I understand, were sunk from two feet to three feet.

14. Were there any other improvements made?—None but raising boulders and such things.

15. Could you put an estimate on the raising of the boulders?—I cannot say.

16. You saw the Sub-Commissioners there, Mr. Smyth and Mr. Wilson; was Mr. Callaghan there?—There was none but the two and Mr. M^o Henry.

17. Then there was only the one Sub-Commissioner.

18. How much of the road is there on the farm?—Sixty-two perches.

Cross-examined.

19. Mr. Fenny.] Your case now is that the Sub-Commissioners did not see your improvements?—The Sub-Commissioner said he would not look at them if I could not point them out in a moment.

20. You are correct also in stating that there was only one Sub-Commissioner out?—There was one Sub-Commissioner and the court valuer.

21. What did you pay for this?—I gave too much for it.

22. Mr. Vernon.] As I understood you, you paid 1,000 l., but that included two farms?—Three farms; I bought 51 acres.

23. Mr. Fenny.] Tell what you paid by the acre?—It was 20 l. an acre; I bought the whole farm at a lump sum.

24. I make it out 21 l. an acre in 1876?—I bought 51 acres.

25. Mr. Litten.] What did you actually pay?—£. 1,020.

26. Mr. Fenny.] That was in 1876?—September 1877.

27. And the rent was the same then as it is now?—The rent was the same; the rent was 35 l. in the bulk, and when I came to understand the measurement of the land, I find I had only 48 acres 2 rods.

28. You

28. You did not see these drains made?—I did, I think 25 years ago.

29. Did you see 2,550 perches of drains made there?—I saw men working.

30. Mr. *Fernan*.] Are you aware that the number of drains you have stated would thorough

drain every inch of your farm 18 feet apart?—From 18 feet to 20 feet; there is some 14 feet apart in heavy portions of the soil; it is all drained.

31. Mr. *M'Mordie*.] You got these drains actually measured?—Yes.

PATRICK MULHOLLAND, sworn; and Examined.

32. Mr. *M'Mordie*.] WERE you in the employment of Mr. Walkington at the time he held this farm?—I was working as a labouring man for him.

33. Did you point out the drains to Mr. *McCord*?—I was called upon one day; I was working on the road when Mr. Wilson was over the lands, and I went to him and showed him where the catch drains came out, and I told him if he wanted any further information, I would show him where they were drained.

34. How were they drained?—According to the bottom, 14 to 21 feet apart, for there was portion of the land was bad, a bad bottom, where the sewers were thicker, and where it was better we made them further off. We made 69 perches between Mr. Taylor and Mr. Walkington of the sunk fences; it was all made in his possession and at his expense. We took and we set alders and quicks in it, and the alders is growing a good hedge, but the quicks are not.

THOMAS CARROLL, sworn; and Examined.

42. Mr. *M'Mordie*.] YOU are a farmer?—Yes.

43. You examined this land?—I did, carefully.

44. You were a witness in the court below?—I was not; the other witness in the court has left the country.

45. What would you consider a fair rent?—I consider the gross rent, 20*l.* 15*s.* 6*d.*; nett rent, 13*l.* 14*s.* 6*d.* On examining the soil I found it is a very inferior soil; it is a very stiff retentive clay, difficult to work, and only in a particularly dry season could a farm raise a crop at all. It is lying for the most part on a blue clay which, if raised to the surface, I would consider would be poisonous to the soil. I have known this farm for a very long time, perhaps 40 years; Mr. *McCord* is the sixth or seventh tenant in that farm, and with the exception of the office itself, who had it twice in that time; I believe they all left it broken down; I know three did.

JOHN GREEN, sworn; and Examined.

55. Mr. *M'Mordie*.] YOU are a farmer?—Yes.
56. Do you hold land under Sir Richard Wallace?—Yes.

57. How long have you known this farm?—All my lifetime; I live in the neighbourhood.

58. What, in your judgment, would be a fair rent for it?—I consider a commercial rent for it as it stands would be 1*l.* an acre, Irish.

59. Mr. *Litten*.] What would be the fair rent?—Thirteen shillings an acre, to leave it as it is.

Cross-examined.

35. Mr. *Fowry*.] These drains were made in Mr. Walkington's time?—Certainly.

36. You recollect the time Mr. Walkington sold to Dick Johnston?—Yes.

37. But the drains were all made before he sold to Johnston?—Yes.

38. What year did Johnston buy?—I cannot tell.

39. Do you know what Johnston paid Walkington by the acre for this?—I do not indeed, but I was working for Mr. Walkington at the same time.

40. And Mr. Wilson, who was out, you showed him all these improvements?—Yes.

41. Mr. *Fernan*.] How long is it since you were working with Mr. Walkington?—Better than 15 or 16 years, and the first crop Mr. Walkington put in I was with him; the crop was that bad we had to mow it with scythes; we could not catch it with hooks.

Cross-examined.

46. Mr. *Fowry*.] Might I ask you who is your landlord?—Sir Richard Wallace; I am sorry that I am a tenant at all.

47. Where is your farm?—In Ballinacree.

48. How many acres do you hold?—Eighty acres.

49. How far is it from this farm?—About a mile and a-half.

50. Do you hold by the year?—I do; I am a tenant-at-will.

51. What do you pay an acre?—Twenty shillings an acre.

52. This farm here is a little over 20*s.*?—Yes, but I have been paying 20*s.* an acre, and I live on the holdings of Lough Neagh; where the land is flooded.

53. It is not as good as this?—My farm is not in the court, and I won't answer the question; I think it hardly would be fair, as my farm will be in the court very soon. I think all Sir Richard Wallace's tenants will be in here soon; I am afraid we will be drove here.

54. Will you tell me what you paid for the farm?—You must ask my grandfather.

A man might give more for it if he got leave to break it up.

Cross-examined.

60. Mr. *Fowry*.] What is a commercial rent?—The gross rent, the value of the land, as it stands, without any input.

61. That is the actual value of the land?—Yes.

62. Supposing the land was put up by auction, and

and a fancy price given for it, what would you call it?—The tenant, by his purchase, would be entitled to one-third of the gross rent.

63. Then that would be the fair rent?—I would think so.

64. That is two-thirds for the landlord, and one-third for the tenant, regardless altogether of whether the tenant had improved the farm?—The purchase-money would be very small if the tenant had not improved the land.

65. Say the commercial rent is 30 s. of a farm; it is two-thirds to the landlord, and one-third to the tenant; you are a leaseholder?—I am.

66. What do you pay?—Seventeen shillings and sixpence.

67. That is under an old lease; how far is your farm from this?—About half-a-mile.

68. Mr. Vernon.] If the commercial rent of the land is 1 l., do you understand how a man gives more than 1 l. an acre, and 21 l. an acre besides?—It is like a man buying a fancy horse, he regrets it when it is too late, and besides the times have changed greatly since this man bought this farm.

69. Have they since September 1877?—We have not had a good season for farmers since 1878, in this clay land.

70. Judge O'Hagan.] Suppose this land was put up at your present rent, when it brought 1,000 l., at 25 l., what would it bring it at 11 l.?—I think it was accommodation that led this man to buy the farm.

JONATHAN H. GILL, sworn; and Examined.

71. Mr. M'Neddie.] WHEN did you become the tenant of this farm?—I got a portion from my father.

72. What year?—I was reared on it.

73. How did you get the other portion?—Bought it from my uncle.

74. When did you buy it?—Eighteen years ago, I suppose.

75. What price?—£. 8. 7 s. an acre.

76. How many acres?—Eight acres.

77. What improvements have you made on that farm?—That is all drained, 92 perches to the acre.

78. Were they all made by you?—Part of them; I drained six acres.

79. Who drained the balance?—My father drained the portion I got from him, and my uncle had drained the other.

80. Are the drains working?—All working well.

81. Any fences?—Yes, it was all fences; 141 perches of fences, 17 l. 2 s. 6 d.

82. Did you make a catch drain?—I did, there was part of it, six feet deep; we had to cut through a hill; I count at 3 s. a perch.

83. How many perches?—Twenty perches.

84. Did you make a pipe?—Yes, to carry off the water.

85. Mr. Vernon.] You do not reside on the farm?—No, sir, but on a farm that adjoins.

86. Mr. M'Neddie.] How many perches of a pipe?—Just across a road into the field.

87. What do you charge?—£. 1.

88. Mr. Vernon.] Do you include all the fences on the holding?—No, the half of the marsh fences.

89. Did you make all those?—I did not make them all, my uncle did, and my father.

187.

71. Would it not have brought more if the rent had been less?—I should think it would, but this is only a portion of the farm, and the worst portion of the farm.

72. I suppose you mean that if the landlord had bought up the tenant-right, he could sell the land at one-third more than it would bring, having regard to the tenant-right?—Yes; but what I want to state to the court is that, taking the improvements into consideration, the least a tenant should be allowed would be one-third of the entire letting value.

73. Mr. Vernon.] Has anything been done to this farm except to drain it?—Well, it has been very well cultivated, also old fences levelled and new ones put up.

74. Mr. Penson.] Could the tenant improve the landlord off the face of the earth altogether; supposing he did something else than thorough draining, you would give him the half?—The improvements in the way of buildings, we never get the value of that when selling out.

75. Supposing he reclaimed portion, and raised rock, you would give him half?—It would depend entirely on the improvements.

76. So that he could absolutely improve the landlord out of the country altogether?—No; but I think the landlord could improve the tenant out by raising his rent.

77. Mr. Penson.] Is not the land very wet?—No, sir; it is quite firm towards land that is not drained; if we have a wet season there is no and that is dry.

97. Mr. M'Neddie.] Are there any other improvements?—Yes; levelled up an old fence, and stones raised.

98. How many perches of a fence?—I don't know; I am charging 3 l. an acre for raising stones and levelling.

Cross-examined.

99. Mr. Penson.] This farm was originally held under a lease?—Yes, I suppose so.

100. And the lease was dated 1819, and it was for 19 acres, at 23 l. 9 s. 10 d., exactly the rent you are paying now?—We have not all the farm.

101. When that lease fell out it was divided, and you got a portion of it; was it from your father or uncle?—I don't know.

102. You did not buy at all?—I did not buy it all at once; the farm belonged to my grandfather.

103. He had an old lease?—I don't know.

104. You paid 8 l. an acre at the existing rent?—Yes.

105. What year?—Sixteen or 18 years ago.

106. These fences you were speaking of at the time of the separation there was a fence made to separate the farms?—Yes.

107. How many years ago is it?—Fifteen.

108. Are you charging for that fence?—Yes, it is a boundary fence.

109. Who made it?—I am charging for half.

110. Who made the half?—My brother.

111. That was made for the convenience of the two of you, to divide your grandfather's farm; do you think the landlord ought to pay for that?—No; but I don't want him to make me pay for it.

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112. How

112. How far are you from Lishurn?—Three-and-a-half miles.

113. That is your market town?—Yes.

114. You recollect the Sub-Commissioners being out there; you showed them your improvements?—No, I did not know them all at that time; I found a man since that helped to make some drains.

115. Is not this your schedule of improvements as furnished to me (reads). I ask you now, did you show the Sub-Commissioners, when they were out there, all your improvements?—The Sub-Commissioners did not look at all the improvements.

116. Were you there?—I was.

117. You were examined in the court below, and you gave a list of all these improvements?—I did not.

118. Are you giving any evidence to-day that you did not give in the court below?—I don't know indeed; I kept no note of the evidence I gave in the court below.

119. When did you make the list?—Last week, I think. It is the truth, no matter when it was made.

120. Did you make it up in that little book?—Yes, part of it.

121. Facts that did not come out in the court below?—Yes.

122. Mr. *Mordie*.] Before you went into the court below Sir Richard Wallace had valuers over your farm?—Yes, three; Mr. Murphy, Mr. Boyle, and some one else.

123. They were not examined in the court below?—No.

124. Did you ever hear Mr. Murphy had valued your farm at 14 l. 14 s. 6 d.?—I did not.

125. Mr. *Mordie*.] The other portion your brother holds?—Yes.

126. And it is portion of the same farm?—Yes.

127. Another brother of yours sold this farm and went away, and another brother succeeded him?—Yes.

127.* Will you tell me what improvements have been made on this farm?—There is six acres of it drained; we just charge 5 l. an acre, and the drains are working well.

128. Were there any fences made?—Yes, six.

129. Mr. *Vernon*.] Neither of you live on these two farms?—No.

130. Mr. *Mordie*.] What fences were those?—Fifty one perches of thorn fences at 2 s. 6 d.

131. Did you change a river course?—We did; 51 perches; changing river course, and filling up the old one, 10 l.

132. Was that an improvement?—It was straightening the march.

133. Did you clear away any old common fences on the farm?—Yes, there was a great deal in one of these fields.

134. Did you put anything on that?—£. 10.

135. Were there any other improvements?—Clearing out a river, 2 l.

136. Is there any part of this farm liable to flooding?—One field of four acres; at every heavy rain we had to quit labouring entirely.

137. Mr. *Young*.] Seven acres 19 perches of rich good land adjoining a river?—It is the very worst of land.

138. Your brother is in possession of this?—Yes.

139. How did he get it?—There was an arrangement; my father left it amongst four.

140. It was at the existing rent the arrangement was made?—Yes.

141. Had he to give anything to get these seven acres?—He had.

142. Will you tell the court how much he had to give to get these seven acres of land at a rack rent?—I cannot tell.

143. How many hundreds of pounds?—I could not say.

144. Will you swear he did not give 500 l.?—He did, for that 500 l. would not pay for the house that is on it; he bought this in with the home farm.

145. About how much an acre?—I don't know.

146. You are here to reduce this rent; do you know how much your brother paid under the settlement?—I don't know.

147. Mr. *Vernon*.] How much was in the other land that he got?—Thirteen acres with buildings.

WILLIAM GILL, sworn; and Examined.

148. Mr. *Mordie*.] AFTER your father's death was there a family arrangement made between you and some other members of your family?—Yes, about four years ago I bought out the interest of my mother; she was living on the home farm with my sister.

149. So that it was an arrangement you made for the purpose of getting the house for your mother and sister?—Yes.

150. Could you say what the farm cost an acre?—I could not, because I got an assignment from my brother of the home farm, and stock and chattels and all; I paid him 400 l. for his share in the home farm and these seven acres, and there were other things I had to pay besides.

151. Mr. *Vernon*.] I understood you bought seven acres with the home farm, and the home farm is 13 acres?—Yes.

152. You said you bought your brother's part of the home farm; had anybody else any of it?

—Yes, I had to pay another brother another 100 l.

Cross-examined.

153. Mr. *Young*.] Had you any portion of the home farm yourself?—No, I had been paid previously.

154. Then, the 13 acres were left between the two brothers?—Yes.

155. You have retired from farming now?—I was retired from farming; bought out; and to keep my brother in his place and my mother in a home, I bought the farm.

156. What are you now?—A draper, in Belfast, and keeps my mother in the country, and sister.

157. Your father died wealthy?—If I had not made some money in Belfast, and paid my brother's rent, he would be out of his place too.

SAMUEL SMITH, sworn; and Examined.

158. Mr. *McCord*.] ARE you a farmer yourself?—I am.

159. Do you farm on Sir Richard Wallace's estate?—I did, and the Marquis of Downshire's.

160. Did you go over J. H. Gill's farm?—I did; my gross rent is 12 l. 15 s. 6 d.

161. What is your fair rent?—I would take the estimate of the improvements effected by the tenant and his predecessor off that, but I have not taken into consideration the occupation value. I allow 4 l. 19 s. 6 d. for improvements; that would leave 5 l. 14 s., fair rent, excluding the occupation right.

162. Mr. *Veron*.] What would it be if you took the occupation right off it?—Well, my Lord, I have always thought the court should decide that; the court has not decided that yet, as far as I know. I think the court might make it a proportion of the value of the land after the improvements had been taken off it. I take the improvements at 139 l.

163. Mr. *Litten*.] How do you make that up?—I estimate the drains at 6 l. an acre, 11 a. 2 r. 19 p., and I estimate the other improvements at 6 l. an acre. From my knowledge of putting land into condition I don't think land could be put into condition for less than 6 l. an acre.

164. Mr. *McCord*.] What is your rent in W. G. Gill's?—£. 7. 13. gross, and 3 l. 8 s. fair rent.

Cross-examined.

165. Mr. *Foway*.] Not taking into account the occupation right, what would you say the occupation right would be?—I will not put a value on it.

166. Have you not known the occupation right sold where there were no improvements on that estate?—I don't know of my own knowledge I ever knew it, for I never heard of a farm on which there were not some improvements.

167. Is not the principal tenant-right on that estate the right of occupation at the existing rent?—No, it is not.

168. Have you known it go as high as 50 l. an acre without improvements?—No, I have not.

JAMES RICHIE, sworn; and Examined.

179. Mr. *McCord*.] WHAT do you consider the fair rent in J. H. Gill's farm?—£. 3. 13s. 6d. and 3 l. 15 s.

180. Is that the fair rent, or the gross letting value?—The fair rent.

181. And the other farm?—Four acres one rood at 8 s., and three acres at 14 s.; 3 l. 16 s.

Cross-examined.

182. Mr. *Foway*.] What would you take off the 7 l. 8 s. 6 d. for occupation?—I don't know.

183. Have you taken into account the right of

because tenant-right consists of improvements and occupation right.

Mr. *Veron*.] One would like to know how much of the 3 l. 8 s. is for occupation right.

169. Mr. *Foway*.] How much of the 3 l. 8 s. is for the occupation right?—I don't fix it; I think it would be a very desirable thing that the court should fix it.

170. Would you estimate your occupation right at about half the rent; is it not more than that?—In relation to the history of Ulster, I suppose we will have to go into that; the occupation right means that when settlers were brought over from England and Scotland here—

171. Mr. *Veron*.] If you would give us that in money; we want to reduce it to that?—In my opinion it ought to be a certain proportion of the value of land after the improvements have been deducted, and that is for the court to determine.

172. Mr. *Foway*.] What would you give to the landlord for his right in the land, and the tenant for his right of occupation, exclusive of improvements?—I have refused to put an estimate on that; that is for the court to decide.

173. Mr. *Veron*.] We want to know what the occupation right is worth of these seven acres?—I have not put a figure on the occupation right.

174. We want you to do that?—Well, it is only an opinion. I suppose some parties might say the tenant has a right to one half; it is simply a matter of calculation.

175. Mr. *Foway*.] The landlord would be entitled to 1 l. 14 s.; would you not allow him to pay half the county cess?—I certainly would.

176. Would you like to be a landlord on those terms?—I would not like to be a landlord at all, and it is far worse to be a tenant; the farmers have been living on capital.

177. You are farming a large farm; you are farming Mr. McGarry's farm?—I am; I pay rent for it.

178. Mr. McGarry is a very wealthy man, and he has been farming all his lifetime; can you tell me any land Mr. McGarry has as low as this?—

Question disallowed.

occupation?—I have taken into account the improvements.

184. Have you, in addition to the improvements, taken that into account?—I have not. Mr. Murphy refused to do it here, and he was not pressed.

185. Then you have not taken into account the occupation?—I have not.

186. Are you a farmer?—I am.

187. Where is your farm?—Well, it is nearly a mile from this.

188. You are not in court?—I am not.

189. Is this your first valuation?—It is not.

DAVID MCCARTHY, sworn; and Examined.

190. Mr. McMurdie.] Do you remember Mr. Gill's uncle draining any part of the land he sold?
—Yes, I do, for I helped to make them; me and another man made about three acres in the one field.

191. Are they still working?—Well, I cannot say.

192. Do you remember his father making drains?—Yes, I do.

193. So that the whole of the 11 acres was drained?—I cannot say.

Cross-examined.

194. Mr. Fossy.] What age are you? — About 60.

195. How old were you when you made the drains?—I suppose I was 25, and I helped to make about three acres in the one field and two in another belonging to the two Mr. Gills now.

The tenants' cases having closed, no evidence was given on behalf of the landlord.

"I certify that the foregoing is a true and faithful transcript of the evidence in these cases, taken by me in shorthand for the Court."

Dublin, 2 May 1884.

Charles Egan, Shorthand Writer.

LAND LAW (IRELAND) ACT, 1881.

COURT OF APPEAL.

County Antrim. Record Number, 510.

Tenant, George McCord, | Landlord, Sir Richard Wallace.

Heard at Belfast, before O'Hagan, J.; Linton, Commissioner;
and Vernon, Commissioner.

Tuesday, the 11th day of March 1884.

WHEREAS by notice bearing date the 4th day of October 1883, the tenant herein required this case to be re-heard before the three Commissioners sitting together; and whereas the said case came on for such re-hearing at Belfast, upon the 10th day of March 1884, and for judgment on this day. Whereupon, and on reading the originating Notice, the Order of the Sub-commission made thereon, and the aforesaid Notice of Application for a re-hearing, and upon hearing what was offered on behalf of the Landlord and Tenant respectively.

It is Ordered, that the Order of the Sub-commission be, and the same is hereby affirmed:

And it is further Ordered, that the Tenant do pay to the Landlord his costs of this re-hearing, when taxed and ascertained.

Charles B. Croker,
Assistant Registrar.

IRISH LAND COMMISSION COURT
(MCORD v. WALLACE).

COPY of the Official Records of the Evidence
and Judgments in the case of *George McCorr,
Tenant, See Richard Wallace, Landlord, in the
Court of the Irish Land Commission.*

(*Mr. Seron.*)

Ordered, by The Board of Commissioners, to be Printed,
on May 1884.

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